UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,
Ex Rel. Dale Thomas Vosika and
Robert Thompson,

Plaintiffs,

v.

Starkey Laboratories, Inc.,

Defendant.

Civil No. 01-709 DWF/SRN

PRETRIAL SCHEDULING ORDER

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court as amended effective November 1, 1996, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern this proceeding. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

Discovery Plan

1. **Discovery shall be commenced in time to be completed by August 1, 2006.**

2. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:

   a. By Plaintiff(s) on or before February 1, 2006.

   b. By Defendant(s) on or before March 1, 2006.

3. Full disclosure of expert testimony, required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made as follows:

   a. By Plaintiff(s) on or before June 1, 2006.

b. By Defendant(s) on or before July 4, 2006.

4. No more than 25 interrogatories [counted in accordance with Fed. R. Civ. P. 33(a)] shall be served by any party.

5. No more than 25 depositions, excluding expert witness depositions, shall be taken by any party. Each party shall take no more than 5 expert depositions.

Non-Dispositive Motions

(Non-dispositive motions may be scheduled for hearing by calling Beverly Riches, Calendar Clerk, 651-848-1200.)

1. All motions which seek to amend the pleadings or add parties must be served by March 2, 2006. This deadline does not apply to motions which seek to amend the complaint to add a claim for punitive damages. Such motions must be brought on or before the non-dispositive motion deadline.

2. All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by August 15, 2006.

3. All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1, 37.1, and 37.2.

Dispositive Motions

1. All dispositive motions shall be served, filed and heard by November 1, 2006. (Counsel are reminded that they must anticipate the time required for scheduling this hearing by calling Calendar Clerk Lowell Lindquist, 651-848-1296.)

2. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1.

Trial

This case shall be ready for trial **(JURY)** on February 1, 2007. Anticipated length of trial is 3 - 4 weeks.

Dated: November 5, 2004

s/ Susan Richard Nelson
Susan Richard Nelson
United States Magistrate Judge